

**CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE
ON DISARMAMENT**

ENDC/PV.367
20 February 1968
ENGLISH

THE UNIVERSITY
OF MICHIGAN

APR 23 1968

DOCUMENT
COLLECTION

FINAL VERBATIM RECORD OF THE THREE HUNDRED AND SIXTY-SEVENTH MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 20 February 1968, at 10.30 a.m.

Chairman:

Alhaji SULE KOLO

(Nigeria)

GE.68-2969
68-06911

PRESENT AT THE TABLE

Brazil:

Mr. J.A. de ARAUJO CASTRO
Mr. C.A. de SOUZA e SILVA
Mr. E. MOREIRA HOSANNAH
Mr. A. da COSTA GUIMARAES

Bulgaria:

Mr. K. CHRISTOV
Mr. B. KONSTANTINOV

Burma:

U KYAW MIN

Canada:

Mr. E.L.M. BURNS
Mr. A.G. CAMPBELL
Mr. J.R. MORDEN
Mr. A. BERNIER

Czechoslovakia:

Mr. P. WINKLER
Mr. T. LAHODA
Mr. V. VAJNAR

Ethiopia:

Mr. A. ZELLEKE
Mr. B. ASSFAW

India:

Mr. M.A. HUSAIN
Mr. N. KRISHNAN
Mr. K.P. JAIN

Italy:

Mr. R. CARACCILOLO
Mr. G.P. TOZZOLI
Mr. E. FRANCO
Mr. F. SORO

Mexico:

Mr. A. GOMEZ ROBLEDO
Mr. A. CARRANCO AVILA

Nigeria:

Alhaji SULE KOLO
Mr. B.O. TONWE

Poland:

Mr. M. BLUSZTAJN
Mr. E. STANIEWSKI
Mr. S. DABROWA

Romania:

Mr. N. ECOBESCO
Mr. O. IONESCO
Mr. C. GEORGESCO
Mr. A. COROIANU

Sweden:

Mrs. A. MYRDAL
Mr. A. EDELSTAM
Mr. R. BOMAN
Mr. J. PRAWITZ

Union of Soviet Socialist
Republics:

Mr. A.A. ROSHCHIN
Mr. O.A. GRINEVSKY
Mr. V.B. TOULINOV
Mr. I.M. PALENYKH

United Arab Republic:

Mr. H. KHALLAF
Mr. O. SIRRY
Mr. M. SHAKER

United Kingdom:

Mr. I.F. PORTER
Mr. R.I.T. CROMARTIE

United States of America:

Mr. S. DePALMA
Mr. L.D. WEILER
Mr. C.G. BREAM
Mr. A.F. NEIDLE

Special Representative of the
Secretary-General:

Mr. D. PROTITCH

1. The CHAIRMAN (Nigeria): I declare open the 367th plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.
2. Mr. KHALLAF (United Arab Republic) (translation from French): As this is the first time my delegation has taken the floor since the beginning of the present session, I should like, perhaps a little late but nevertheless very sincerely, to welcome the presence among us of Mr. Husain, the representative of India, and also the return to this Committee of Mr. Castro and Mr. Gomez Robledo, the representatives of Brazil and of Mexico.
3. Turning now to the subject with which we are concerned at present, I should like to join those of my colleagues who have preceded me in conveying the congratulations of my delegation to our two co-Chairmen on the efforts they made to enable them to submit on 18 January the revised draft of the non-proliferation treaty (ENDC/192/Rev.1, 193/Rev.1). It is only fair to point out that in more ways than one the new draft is better than the previous one (ENDC/192,193). Obviously the drafting of a satisfactory text for a non-proliferation treaty is by no means an easy matter, on account of its very particular importance and the need to take care to satisfy the often conflicting desiderata of the different States and to allay their various suspicions. Furthermore, this treaty must unite effectiveness with flexibility, the present with the future, and reconcile the requirements of security with those of progress in the peaceful use of the atom.
4. It can be said without undue optimism that a good part of this task has now been carried out. In this phase of our work -- which we hope will be its last -- we believe that there will be need for some more clearing of the ground, more clarification of matters, but above all a closer rapprochement between our positions. In fact, a good look at the situation will show plainly that there is within the Committee a fairly close similarity of views on several points of primary importance and that this similarity of views, even if it is sometimes only a general one, is not by any means confined to the principle of non-proliferation alone.
5. It is the principal points on which we believe we are in agreement that, during the time available to us -- that is, in principle, between now and the middle of March --, we must try to make clearer and to develop, while also endeavouring to add other points. In this way we shall be able to submit to the General Assembly, if

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not a draft unanimously approved by the Eighteen-Nation Committee on Disarmament, at least a fairly solid and coherent draft treaty structure which will make the General Assembly's task easier and enable it to fulfil this as soon as possible.

6. It is in this spirit, meant to be both constructive and expeditious, that I should like today to set forth the results of a first examination by my delegation of certain conspicuous aspects of the revised draft treaty, reserving the right to revert to this matter should the need arise.

7. To begin with, I should like to say from the outset that in general we agree with the preamble as it now stands in the draft. However -- and here we are prompted by the amendment submitted by the Romanian delegation (ENDC/199) -- we think it advisable to include in the preamble a special reference to General Assembly resolution 2028 (XX) (ENDC/161), which is generally, and quite rightly considered to be in some sort the charter of non-proliferation, and the mention of which in the preamble will for this reason greatly contribute, we hope, to the proper implementation and sound interpretation of the treaty.

8. In our opinion the fourth paragraph of the preamble should therefore read as follows:

"In conformity with the resolutions of the General Assembly and notably resolution 2028 (XX) calling for the conclusion of an agreement on the prevention of any further proliferation of nuclear weapons and enunciating the general principles of such an agreement".

9. Furthermore, we shall suggest or support, as the case may be, certain other changes in the preamble concerning control and disarmament, as we shall indicate later on.

10. As for the draft text itself, the Committee will undoubtedly recall that my delegation had the honour to submit certain amendments to articles I and II (ENDC/197). In particular we suggested the addition, at the end of article I, of a new paragraph obliging each nuclear-weapon State --

"... to take appropriate measures to ensure that no person, company, enterprise or private, public or semi-public body that is subject to its jurisdiction and is engaged in nuclear activities participates in any act which is prohibited by this article".

11. Clearly this new paragraph in no way changes the purport, still less the philosophy, of article I as advocated by the co-Chairmen, but must be regarded, on

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the contrary, as the natural and necessary complement to that article. Similar texts are often found in other treaties -- even in treaties of lesser importance than the one we are now considering -- and fulfil a very useful function: that of assuring the contracting State against any actions by nationals of another signatory State contrary to the text or the spirit of the treaty concluded between them. The text that we propose is intended to close a definite and practically important loophole. To do away with this loophole it is not enough to refer to the good faith that should prevail in the interpretation of treaties; because, however right it may be, this principle of good faith has never obviated the need for a precise written agreement, particularly in a matter such as the one we are now dealing with.

12. Similar reasons have led us to suggest another amendment, this time to article II, whereby the non-nuclear States signatories to the treaty would undertake not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

13. At this Conference we have not heard so far the reasons why these amendments have not been included in articles I and II of the revised treaty. But we have heard that it was preferred not to touch these two texts, which are the result of very laborious negotiations. We have just seen that these two amendments in no way change the essence of the articles, to which on the contrary they are a natural complement. In any case the amendments can (in the very least) be included in separate articles or laid down in another appropriate text with binding force. In this connexion we have sometimes been given to understand that these two amendments are in an indirect but very definite way referred to in article III. For this reason, and although we shall press the amendments we have suggested until proof to the contrary is forthcoming, we shall be glad to hear from our co-Chairmen sufficient clarification on the scope of article III in this regard. In particular, we should like them to make clear to us to what extent a signatory State would be automatically obliged to take appropriate measures to extend the effect of the treaty, as far as the prohibitions laid down in articles I and II are concerned, to all individuals and bodies corporate subject to their jurisdiction.

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14. I now turn to article III, which is expected not only to solve a very thorny problem -- that of control -- but also to inaugurate a new era of confidence and international co-operation. On 16 March 1967 I stated my delegation's position on the subject of control. I said:

"The treaty must contain provisions clearly stipulating compulsory and uniform application of the single system of safeguards of the International Atomic Energy Agency to all non-nuclear States parties to the treaty. Moreover, the control system must be extended to the transfer of nuclear material and to all nuclear activities, past and present". (ENDC/PV.294, para. 14)

I added:

"In such a treaty the only inspection system acceptable in this respect is compulsory and not voluntary, international and not regional, effective and not fictitious". (ibid., para. 15)

15. To what extent does the text of article III meet those very legitimate aspirations? It is difficult to deny the merit of this text due to the enormous importance and the divergence of interests connected with the application of control to nuclear activities. But, while taking into account the delicacy of this matter, we feel bound to express our apprehensions in regard to the text of article III. Of course, we shall be glad if the co-Chairmen give us the necessary information, clarifications or assurances concerning it.

16. First of all, we note that article III, paragraph 1, bases its safeguards on the agreements resulting from the negotiations that will take place between the International Atomic Energy Agency (IAEA) on the one hand and the States Parties to the treaty on the other. These agreements are left completely free by the text, which does not indicate that they will be subject to any common rules or that any common denominator will be applied. We are not at all opposed to flexibility in such agreements; on the contrary, we believe that a certain degree of flexibility is necessary in this field in order to cope with the diversity of situations. Nevertheless we fear that this excessive freedom will, in some cases at least, lead us in an unjust manner away from absolute uniformity of application of control over the various States, despite the similarity that may exist between their respective nuclear activities.

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17. It is clearly in our common interest to set up an objective control in this field, which will vary only if its objective itself varies. It would not in our opinion suffice to say, in order to refute this argument, that in any case IAEA will have to be satisfied with each agreement it signs, and that that will be a sufficient guarantee against any unjustified diversity between States; for the fact remains that the Agency's satisfaction would have to be based on, among other factors, objective factors which would guarantee as far as possible equal control in equal nuclear situations.

18. That brings us to paragraph 4 of the same article, which stipulates that non-nuclear countries shall negotiate with the Agency "either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency". We note first of all that this text is somewhat ambiguous in more than one respect. In the first place, it seems to us that the French text which we have just quoted does not agree perfectly with the English text, which says "together with" other States, whereas the French text uses the words "en coopération".

19. Nevertheless, both the French and the English texts apparently wish to state that, if certain States formed a group among themselves, they collectively and not their organization as such would negotiate with the Agency. However, that interpretation, which thus follows from the text, does not appear to be the one adopted by Mr. Fisher, who told us that:

"This provision" -- that is, paragraph 4 of article III -- "permits the IAEA to enter into an agreement concerning the safeguards obligations of the parties with another international organization the work of which is related to IAEA and the membership of which includes the parties concerned". (ENDC/PV.357, para. 53)

20. However, apart from these legal considerations, one cannot help wondering whether the implementation of paragraph 4 will not end up by establishing indefinitely in this field plurality instead of unity, discrimination instead of equality, and the weakness of the system instead of its effectiveness. Indeed, it is to be feared that IAEA may in these cases have to adopt more or less different safeguards systems according to the groups of States with which it has to conclude agreements. Moreover, one may well ask what would be, in that event, the exact nature of the safeguards, and what real power IAEA would have to enforce them in practice.

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21. Our misgivings in this regard were not allayed -- quite the contrary -- after we heard Mr. Fisher say in this connexion:

"In order to avoid unnecessary duplication, the IAEA should make appropriate use of existing records and safeguards, provided that under such mutually-agreed arrangements IAEA can satisfy itself that nuclear material is not diverted to nuclear weapons or other nuclear explosive devices". (ibid., para. 55)

22. Besides, we should have preferred the text of article III, paragraphs 1 and 2, to follow as far as possible the terminology of article III A, paragraph 5, of the Agency's Statute, and its safeguards system (INFCIRC/66/Rev.1), in order to determine the object of its control. We should at least like to have confirmation of the sense which, to our mind, is evident in article III to that effect and ties in with the provisions of the Agency's Statute and safeguards system, especially paragraph 29 of the safeguards system, -- and indeed with the requirements of any effective control system. In fact, we believe that the control mentioned in the present article III extends mainly to source and special fissionable materials in whatever form or state they may be found, and whether they are produced, imported or exported by the country. Control would also extend to all kinds of principal nuclear installations, whether they contain or are intended to contain nuclear materials.

23. Moreover, paragraph 4 of article III lays down, for various cases, certain deadlines for the commencement of negotiations between the States and IAEA, and other deadlines for the entry into force of the agreements concluded between them. But one might ask what would have to be done if these negotiations failed, for one reason or another, to lead to the desired agreement, or failed to do so within the specified time. Furthermore, we note with Mrs. Myrdal that --

"It is obvious that a considerable time will pass before the safeguards system will become universally applicable. Is there not a definite risk in the fact that during an interval which may extend to several years some countries may be subject to control and other not?"

(ENDC/PV.363, para. 26)

24. In any case there is hardly any point, we believe, in insisting on the necessity of proceeding as soon as possible after signature of the treaty to the re-examination, according to a well-prepared plan, of the Statute and present safeguards system of

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the Agency; because it will be necessary to re-organize the Agency, and more particularly its safeguards department, administratively and technically. These measures are in fact necessary to enable the Agency, without useless waste of time, to assume the duties which will be laid upon it by the treaty as soon as this has been concluded, and to apply the rules governing them as objectively and efficiently as possible. Moreover, the cost of applying the safeguards of the treaty will have to be borne for the most part by the rich countries, and naturally in the first place by the nuclear countries.

25. Moreover, and assuming that the text of paragraph 4 of article III will not be changed, it seems to us that it would be useful, indeed sometimes necessary, to make certain changes in the safeguards systems adopted by the organizations with which IAEA will be linked through agreements, in order to render them more suitable for achieving the objects of the non-proliferation treaty.

26. In addition we must note that, however legitimate may be the concern to defend the interests of commerce and industry in the international nuclear field, it is none the less true that this concern must in no way diminish the maximum efficiency which the application of the present treaty requires.

27. Lastly, and still on the subject of control, we wonder whether it would not be better to modify somewhat the contents of the fifth paragraph of the preamble, especially by strengthening it and making it concord with the text of article III of the revised draft. This paragraph appears in fact to be based on the old United States draft treaty (ENDC/152), which did not contain any provisions comparable with those of the present article III.

28. Similarly, one may ask whether the preamble is really the most appropriate place for what appears in the last part of the sixth paragraph, seeing that this does not contain any general norms or directives, as preambles usually do, but deals rather with a somewhat special and rather technical point: namely the use of instruments and other techniques at certain strategic points. Such provisions would, we believe, fit more naturally in the text itself of the treaty rather than in the preamble.

29. We now come to article IV, the insertion of which in the treaty we welcome. But we should have preferred the adoption in this respect of the Mexican proposal (ENDC/196), which speaks in fact of an obligation -- not of a simple duty -- incumbent

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on those parties to the treaty that would be in a position to do so to contribute to the development of the applications of nuclear energy for peaceful purposes.

30. While we are on this subject, I should like to take the opportunity to refer to an aspect of nuclear development important for the non-nuclear countries, and especially for those which are in process of development: namely the peaceful applications of nuclear explosions, a subject which has given and still gives rise to much discussion in our Committee. Here again the Mexican delegation has proposed to us a text which my delegation has accepted as a working basis and which aims at affirming, in the provisions of the treaty, the principle of the obligation on nuclear-weapon States to enable non-nuclear-weapon States to enjoy the benefits of such explosions. Furthermore, we have expressed the desire to see the Vienna Agency undertake this activity.

31. Article V of the present text is certainly an important step forward in this direction. We must note, however, that according to this article such assistance may be provided either on a bilateral basis or through an appropriate international body and not, as the Mexican text requires, solely through an international body -- or in the wording of the text, through appropriate international bodies. We must confess that we are not happy at this change of text which allows assistance to be provided bilaterally and without any international control. To express our concern on this point I cannot do better than quote the words of Mr. Burns, the representative of Canada, spoken at our meeting of 23 January:

"... the references in the final sentence to bilateral arrangements raise the question of whether explosive services arranged bilaterally will be subject to the same criteria or controls as international arrangements. Might not the present language, which does not indicate any element of international supervision over bilateral arrangements, create apprehensions of possible clandestine nuclear co-operation for military purposes between nuclear and non-nuclear-weapon States under the guise of bilateral explosive services? In other words, might there not be a loop-hole opened up here for forms of nuclear explosion co-operation leading to the further spread of nuclear-weapon technology and of nuclear weapons?"

(ENDC/PV.358, para. 62)

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32. We still believe that the task of controlling all activities in this field should be entrusted only to an appropriate international body, and that the IAEA would be best suited for this task. We consider it important to affirm this principle in the text of article V. On this last point we share the opinion of the delegation of Nigeria. In fact, the second paragraph of article IV-A presented by that delegation states that --

"The nuclear weapon States Party to this Treaty shall make available, through the IAEA, to all non-nuclear weapon Parties, full scientific and technological information on the peaceful applications of nuclear energy accruing from research on nuclear explosive devices." (ENDC/202).

Moreover, the Swiss Government, in its aide-mémoire to the co-Chairmen, states that the article on atomic explosions for peaceful purposes "could provide for the establishment of a special body" -- a single body -- "to determine the conditions in which nuclear explosions for peaceful purposes could take place." (ENDC/204, p.2).

33. In this regard it is comforting to read the following passage in the statement made by the United States representative at our meeting of 6 February, in which he drew attention to the danger represented by the existence of substantial quantities of plutonium throughout the world. Mr. de Palma said:

"Bilateral safeguards would not suffice to eliminate suspicions that could arise among third parties; neither would the continued voluntary and incomplete acceptance of international safeguards. Because one could never be certain that mounting quantities of plutonium could be accounted for in the future and placed under safeguards, a point would soon be reached when international co-operation in the development of peaceful uses of atomic energy could be seriously inhibited. The safeguards which would be established by this treaty would eliminate that hindrance to co-operation." (ENDC/PV.362, para. 30).

That is why my delegation is anxious that there should be no mention of bilateral agreements in article V. In this regard we welcome the suggestion made by Mrs. Myrdal at our meeting of 13 February that the words "on a bilateral basis" be deleted from article V (ENDC/PV.364, para.17).

34. The delegation of the United Arab Republic is particularly happy that a separate article of the treaty has been devoted to the cessation of the nuclear arms race. In the statement I made on 3 March 1966 I pointed out the need for a separate article under which the nuclear Powers would assume --

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"... the legal obligation to halt the nuclear arms race, limit, reduce and eliminate stocks of nuclear weapons and delivery vehicles, and to that end continue and expedite negotiations in order to reach agreement on suitable concrete measures." (ENDC/PV.245, p.15).

However, in analysing article VI of the revised draft one cannot help noting that its effective scope is considerably weakened by the too general character of its text, which departs some distance from the proposal made in this regard by the Mexican delegation (ENDC/196) and supported by several other delegations, both aligned and non-aligned.

35. It has always been asserted both here and elsewhere that, despite all its merits, the non-proliferation treaty cannot be an end in itself; that it will not be viable if nuclear weapons are to be banned solely for the countries not possessing them at present; that a world split indefinitely into two parts -- nuclear and non-nuclear -- is inconceivable and that it is time that urgent and adequate steps were taken to halt the arms race and proceed to general and complete disarmament.

36. We are convinced that we must not be too hasty in this very delicate matter, or try to overload article VI with too many details. But we share the opinion of many delegations that this article should be strengthened and specified in certain respects. In our view, the amendment to this text suggested by the Swedish delegation concerning the urgent need for disarmament (ENDC/215), and the new paragraph proposed by the same delegation for insertion after the tenth paragraph of the preamble (ibid.), would be a favourable step in that direction.

37. Before I finish with this point: in view of the danger that could result from the flight of aircraft carrying nuclear or thermonuclear weapons over foreign territories -- I refer to the recent accident in Greenland -- my delegation expresses the hope that appropriate measures will be taken to halt these flights as soon as possible. It is certain that such measures would help to eliminate the danger facing each and every one of us, and to promote the cause of disarmament to which so many efforts, here and elsewhere, have been devoted.

38. Turning now to article VIII, paragraph 2, we note that it proposes that amendments shall enter into force for each Party that deposits its instrument of ratification of the amendment. Actually we still prefer the old wording of this paragraph, which provided that the amendment should enter into force for all Parties (ENDC/192, 193, article V). It is difficult to imagine a situation in which obligations stemming from a treaty of such importance would differ from one

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State to another according to whether it had or had not ratified the amendments to the treaty. Moreover, the double veto created by article VIII is a sort of guarantee that only the most generally acceptable amendments would have a chance of being introduced. That is why we should like the old formula to be reintroduced in paragraph 2 of article VIII.

39. On the other hand, article VIII, paragraph 3, is unfortunately silent about the principle of convening periodic conferences -- the principle of the Romanian delegation's proposal (ENDC/199, p.3). In our opinion the object of such conferences would be, as laid down in the present text of the draft treaty, to review the operation of the treaty with a view to assuring that its purposes and provisions are being realized; or better still, as is suggested in the well-founded amendment submitted by the United Kingdom on 22 November 1967, "with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized" (ENDC/203); but not to introduce amendments to the treaty, unless the requirements of paragraphs 1 and 2 of article VIII are fulfilled. We greatly hope that the principle of periodic conferences will find its place in the draft treaty.

40. One of the aspects of article IX continues to attract our attention. That is the definition of nuclear-weapon States at the end of its paragraph 3. As we stated at the meeting of 26 September 1967 (ENDC/PV.333, para.33), this definition actually leads to a limitation of the five Powers which are at present the only ones known to have manufactured and exploded a nuclear weapon or other nuclear explosive device before 1 January 1967.

41. On the subject of definitions, we believe that it would be useful to give thought here and now to the possibility of defining, especially in the fourth part of the safeguards system of the Vienna Agency, some of the technical terms used in the text of the draft treaty. That would contribute, we hope, to facilitating the work of the Agency.

42. Lastly, we still prefer a treaty of unlimited duration. At the meeting of 16 March 1967 we said:

"In order that the treaty may achieve a real advance over the present situation in a field so dangerous to peace, it must constitute an effective and permanent brake on the dissemination of nuclear weapons." (ENDC/PV.294, para. 15).

Nevertheless, we are ready to accept paragraph 2 of article X if it is generally supported and cannot in any way make possible the termination of the treaty twenty-five years after its entry into force.

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43. The right of withdrawal from the treaty should, we believe, be limited to very exceptional cases; in this regard the provisions in paragraph 1 of article X concerning notice to the Security Council of the reasons for the withdrawal from the treaty should be maintained. These limitations are imposed by the very particular nature of this non-proliferation treaty. It is inconceivable, in fact, to leave open the door to any withdrawal from such a treaty, because it would immediately lose its credibility. Moreover, these limitations will be appreciably lightened by the right of States to propose amendments to the treaty, and also by the rules governing its revision.

44. It now remains for me to mention the important question of security guarantees. The Committee will doubtless recall that we proposed for this purpose an amendment, largely based on General Assembly resolution 2153 (XXI) (ENDC/185), to the previous text of the draft treaty. This proposal, however, has not -- so far at least -- found favour with the two co-authors of the new draft.

45. There is no need to repeat here the reasons, logical and practical, national and international, which have led and always will lead most countries, especially the non-aligned, to devote special attention to this problem. There is no need, we believe, to quote here again the General Assembly resolutions or the statements repeated on many occasions by heads of State, governments or delegations, all insisting on the need to find an adequate solution to this important problem. We do not deny the difficulties inherent in the problem, and we are sure that the two co-Chairmen are continuing to give it their attention, for which we should be grateful to them. But we firmly hope that the result of their efforts in this direction will be communicated to our Committee as soon as possible. Only thus will each of us be in a position to judge the proposed draft in a proper manner. At the same time, we also ask them to do everything possible to include our amendment, to which I have just referred, in the proposed text. As for what is commonly called the positive security guarantee, we also await their suggestions.

46. Those are the few remarks on the proposed text which my delegation felt it necessary to put before the Committee at the present stage of our work, hoping thus to contribute to the speedy completion of our task of preparing a treaty which will be an instrument of both peace and progress.

47. Mr. CARACCILOLO (Italy) (translation from French): The representative of the United States reminded us in his statement of 6 February that the treaty now before us is not "a commercial contract in which each party seeks to trade off concessions in order to gain equal financial or trade benefits". (ENDC/PV.362, para.25). That very pertinent comment is fully shared by the Italian delegation. The treaty which is before us is indeed a highly political treaty, the spirit of which goes beyond the letter itself. For a political treaty to be good -- and the word "good" in this case is synonymous with "lasting" -- it must be realistic; and we all want a treaty which will last, that is to say a treaty that sticks to reality.
48. This concern for realism leads me to another comment: there is no doubt that the sacrifices and the advantages will not be the same for all nations, and that some of us will, by the sheer force of events, be called upon to pay more dearly than others for this common good. It is necessary therefore to recall that one of the duties of our Committee, assigned to us by General Assembly resolution 2028 (XX) (ENDC/161), is precisely to obtain in the text of the non-proliferation treaty the best possible balance between the responsibilities of the nuclear Powers and the obligations of the non-nuclear Powers.
49. The Italian delegation today is glad that the presentation of a complete text by the delegations of the United States of America and the Soviet Union (ENDC/192/Rev.1; 193/Rev.1) has enabled us to undertake an overall assessment. This examination has been made by my Government, and I should like to say at once that we feel more encouraged in the hope -- which indeed we have always cherished -- that we shall be able fairly quickly to sign a treaty on the non-proliferation of nuclear weapons.
50. Nevertheless, though aware of the difficulties encountered by the co-authors of the draft in settling the wording of these revised texts, we also know that many countries still have difficulties to overcome in order to arrive at a definitive approval. These difficulties must be taken into very careful consideration if we wish these texts to be acceptable to the greatest possible number of countries. We believe that, far from delaying the progress of our work, the comments and suggestions of the various delegations will on the contrary accelerate its final approval by the United Nations General Assembly.
51. During previous meetings of our Committee several delegations have stated the points of view of their governments on the revised draft treaty. Many comments have been made on the problems which did not seem to them to have been satisfactorily solved in the new text, and amendments have been put forward to improve the text

submitted for our consideration. The delegates of the United Kingdom, Canada, Czechoslovakia, Poland, Bulgaria, Romania, Sweden, Brazil, Ethiopia, Mexico and, this morning, the United Arab Republic have expounded the ideas of their governments on this subject; I shall confine myself to indicating rapidly some of their proposals which have seemed to us more significant.

52. I am thinking first of all of the suggestion to insert in the preamble a new paragraph referring to the determination expressed by the signatories of the 1963 Treaty on the partial cessation of nuclear tests (ENDC/100/Rev.1) to bring about the complete cessation of nuclear weapon tests and to continue negotiations to that end.

53. Other comments were made concerning the need to prevent what we have agreed to call vertical proliferation, and to apply control measures to the transfer of nuclear fuel to any country. It has also been pointed out that article III discriminates against the non-nuclear countries, which alone are obliged to submit to control measures. In this connexion an appeal was addressed to the Soviet Union (ENDC/PV.363, para.21) inviting it to submit its peaceful nuclear activities, as has been done by the United States (ENDC/206) and the United Kingdom (ENDC/207), to the controls provided for by the treaty in relation to the non-nuclear countries. Concern has also been expressed that the possibility of delay in the conclusion of an agreement with the International Atomic Energy Agency might entail stoppage of supplies of fissionable materials (ENDC/PV.363, para.27). The absence of a firm obligation on the nuclear Powers to undertake specific measures of nuclear disarmament has been the subject of comment as well as of some specific amendments.

54. A proposed amendment has been re-submitted (ENDC/203/Rev.1) in order that all the aims contained in the preamble of the treaty shall be examined by the review conference referred to in article VIII. It has also been pointed out, in connexion with the level of the "quorum", that it would be essential to obtain the ratification of countries which are potentially in a position to produce nuclear weapons (ENDC/PV.364, para.52). It has furthermore been stressed that the treaty must take due account of instructions given by the General Assembly of the United Nations, in particular in its resolution 2028 (XX) (ENDC/PV.363, para.36). Lastly, other remarks have been made regarding the right of withdrawal, the duration of the treaty, and peaceful nuclear explosions.

55. Among all these comments and proposals, to which I refer summarily in order to be brief, the Italian delegation would like to voice its special support today for the United Kingdom amendment (ENDC/203/Rev.1), which would include among the questions to be examined by the conference referred to in article VIII all the aims indicated

(Mr. Caracciolo, Italy)

in the preamble of the treaty; for the appeal addressed by the Swedish representative to the Soviet Union that it should join the United States and the United Kingdom in submitting its peaceful nuclear activities to the control measures that will apply to the non-nuclear countries signatories to this treaty; and lastly for the request by Sweden for a formula to ensure, as rapidly as possible, on behalf of the non-nuclear countries signatories to the treaty, the right to benefit from the advantages arising from nuclear explosions for peaceful purposes (ENDC/216; PV.364).

56. Having given its support to these proposals submitted by other delegations, the Italian Government wishes in its turn to draw the attention of the Committee to three special questions which it considers to be of particular general interest and for which a satisfactory solution is, in its opinion, fundamental if an effective, solid and long-lasting treaty is to be obtained. The proposals which I am going to set out refer to the clauses concerning the peaceful uses of nuclear energy (article IV), the periodic conferences for examination of the operation of the non-proliferation treaty (article VIII), and the duration of the treaty (article X).

57. First, article IV is the most significant innovation of the new revised draft. This article is very important because it is an attempt to codify a new human right. Men of our century, who are grouped in nations, must have the opportunity and indeed the right to integrate themselves in the process of change which is characteristic of our era. For this to be possible and for the good intentions expressed in article IV of the treaty to attain their full practical scope, the non-nuclear nations must be sure that they can rely at all times on access to a supply of raw materials -- a supply which alone will in practice give them access to the world of modern science and technology. To the right to technological information which can be regarded as a spiritual conquest of our era, we must add the right to nuclear supplies, which are its material complement.

58. The Italian delegation, with the amendment which it will have circulated as a working paper (ENDC/218), intends thereby to fill a gap and to affirm the right of all States signatories to the treaty to obtain supplies of source and special fissionable materials intended for peaceful purposes. We consider that our proposed formula, which could appear as a second paragraph of the present article IV, will be of interest to a great number of States and will consequently ensure a wider participation in the non-proliferation treaty.

(Mr. Caracciolo, Italy)

59. Secondly, article VIII in its present form provides for only one conference after five years. The Swedish representative has submitted an amendment to the effect that other conferences could be held at the request of the majority of signatories (ENDC/215). For our part, although in favour of the spirit of the Swedish amendment, we feel it would be preferable, in the interest of the stability of the treaty, to provide an automatic periodicity -- every five years -- for such conferences. This would enable all signatories to the treaty to meet regularly, to examine all the disputes which might arise in applying the articles of the treaty and the paragraphs of the preamble and to seek for common solutions, and lastly, to examine and remedy any violations. In that way the periodic conferences would be the most effective instrument of guarantee for all nations of the proper working of the treaty in relation to its ultimate objectives. The amendment which the delegation of Italy would like to submit for this purpose for the approval of the Committee is contained in the working paper which I am having circulated.

60. Thirdly, in regard to the problem of the duration, we acknowledge the efforts made by the co-Chairmen to meet the concern expressed by several delegations and in particular by the delegation of Italy. A thorough examination of the revised text has nevertheless led us to the conclusion that in its present form it could give rise to misunderstandings which would be detrimental to the clarity of the treaty. In order to eliminate that drawback, the Italian Government deems it necessary to submit an additional amendment, contained in the working paper I have mentioned, which, while reiterating the formula already submitted by my delegation on 23 November 1967 (ENDC/PV.350, para. 9; ENDC/200/Rev.1), supplements it by indicating the twenty-five years' duration of the treaty stipulated by the present draft.

61. Before concluding its statement the Italian delegation feels bound, insofar as it represents a government which has for long been involved in a process of European economic as well as political integration, to define its position with regard to the treaty which we are negotiating at present, in the perspective of this fundamental aim of its foreign policy. Italy considers in this connexion that the conclusion of a non-proliferation treaty should in no way interfere with the successive stages whereby the objective of European unification may be achieved.

62. Lastly, I should like to state that the Italian delegation sincerely hopes that everything will be done by this Committee to bring to a satisfactory conclusion as quickly as possible these negotiations which are of the utmost importance for the fate of peace and for the whole of mankind.

(Mr. Caracciolo, Italy)

63. Our task, indeed, is to indicate the best possible way to ensure that the treaty on non-proliferation will achieve its aims in conformity with the resolutions unanimously adopted by the General Assembly of the United Nations (resolutions 2028 (XX) (ENDC/161), 2153A (XXI) (ENDC/185) and 2346A (XXII) (ENDC/210)). To that end we must give the greatest consideration to all the suggestions submitted to us and must make every possible effort to find the most appropriate formulas. It would indeed be regrettable if the harvest of ideas and suggestions which has been brought forth so generously in the course of our work and in the work of other organs of the United Nations were to be for ever lost or squandered.

64. On the contrary, we must ensure that this rich harvest may be used rapidly and effectively so as not to let slip this unique opportunity of achieving a treaty which conforms to the universal needs of peace and at the same time complies with the principle enunciated by the General Assembly of the United Nations in resolution 2153A (XXI), to which reference was made by the Minister of Foreign Affairs of Italy in his statement on 1 August 1967 (ENDC/PV.318, para.8) and according to which it is necessary to reach an agreement which "would be acceptable to all concerned and satisfactory to the international community".

65. Mr. de ARAUJO CASTRO (Brazil): My delegation wishes to associate itself with the congratulatory remarks offered in this Committee (ENDC/PV.365, para.5) in connexion with the decision of the Government of the United States of America to sign Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (ENDC/186). Brazil considers that step to be a positive, constructive and far-reaching one in relation to the issue under consideration.

66. Brazil signed the Treaty of Mexico because it believed that that instrument achieved a desirable balance between our preoccupations, on the one hand, with the existence of nuclear weapons and, on the other hand, with the need for the peaceful utilization of nuclear energy for the development of Latin America.

67. I am availing myself of this opportunity to inform the members of the Eighteen-Nation Committee on Disarmament that the Government of Brazil has recently ratified the Treaty of Mexico, at that time reiterating the statement it issued on the occasion of the signing of the Treaty. In order that that statement may be inserted in the records of this Committee, I should like to quote it as follows:

(Mr. de Araujo Castro, Brazil)

"The Brazilian Government wishes to reaffirm its interpretation of the meaning of Article 18 of this instrument. It is the understanding of the Brazilian Government that the aforementioned Article 18 allows the signatory States to carry out with their own means, or in association with third parties, nuclear explosions for peaceful purposes, including explosions which may involve devices similar to those used in nuclear weapons."

68. While I have the floor, let me add that my delegation has listened with the utmost attention to the statements delivered today by the representatives of the United Arab Republic and Italy. Many important points have been raised in those statements, and we think they deserve most careful and detailed consideration. Statements such as those tend to establish a true debate and negotiation on the important issue under consideration and should enable us to fulfil in time the collective mandate conferred on the members of the Eighteen-Nation Committee on Disarmament by the General Assembly of the United Nations (resolution 2346A (XXII); ENDC/210).

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 367th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador Alhaji Sule Kolo, representative of Nigeria.

"Statements were made by the representatives of the United Arab Republic, Italy and Brazil.

"The delegation of Italy tabled a working paper containing additions and modifications to articles IV, VIII and X of the draft treaty on non-proliferation of nuclear weapons (ENDC/218).

"The next meeting of the Conference will be held on Wednesday, 21 February 1968, at 10.30 a.m."

The meeting rose at 12 noon.

